

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 826

February 21, 2021

SUMMARY OF BILL: Prohibits landlords from imposing penalties against or restricting the right of a tenant for summoning law enforcement or emergency assistance. Prohibits a local government from enacting certain ordinances, rules, and regulations related to landlords and tenants. Establishes damages which may be awarded for violations.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed language prohibits local governments from enacting ordinances, rules, and regulations which:
 - Authorize the imposition of a penalty against a landlord or tenant because such landlord or tenant was a victim of abuse or crime; and
 - Authorize the imposition of a penalty against a landlord or tenant because they summoned law enforcement or emergency assistance in certain circumstances.
- The proposed language establishes damages which may be awarded to victims when landlords or local governments are found to be in violation of the prohibitions. Such damages include:
 - Actual damages incurred by victims;
 - Reasonable attorney fees incurred in seeking enforcement of the proposed language;
 - Court costs; and
 - Injunctive relief.
- This analysis assumes:
 - Public housing authorities neither restrict the rights of nor impose penalties against tenants in such circumstances; and
 - There are currently no local ordinances, rules, or regulations which impose penalties against landlords or tenants in such circumstances.
- Local governments will not establish ordinances, rules, or regulations which impose such penalties; therefore, any increase in local government expenditures associated with damages awarded for violations is estimated to be not significant.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumptions:

- This analysis assumes that private landlords impose penalties against or restrict such rights of tenants only as a direct result of local ordinances, rules, or regulations which would impose penalties against the private landlord for law enforcement or emergency services being summoned to rental properties.
- Due to the fact that no such local ordinances, rules, or regulations are currently established, it is reasonably assumed that no private landlords impose such penalties or establish such restrictions against tenants; therefore, no damages could be awarded to tenants for violations.
- The proposed language will not result in any significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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